

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FP0273PC-JS		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/008227	International filing date (day/month/year) 11.06.2004	Priority date (day/month/year) 13.06.2003	
International Patent Classification (IPC) or national classification and IPC			
Applicant JSR CORPORATION			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-26 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2, 8, 10, 12 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1, 3, 4, 6, 7, 9, 11 _____ received by this Authority on 11.04.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets fig. 1-6 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☒ the claims, nos. 5 _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement															
1. Statement	<table><tr><td rowspan="2">Novelty (N)</td><td>Claims <u>2, 3, 10-12</u></td><td>YES</td></tr><tr><td>Claims <u>1, 4, 6-9</u></td><td>NO</td></tr><tr><td rowspan="2">Inventive step (IS)</td><td>Claims _____</td><td>YES</td></tr><tr><td>Claims <u>1-4, 6-12</u></td><td>NO</td></tr><tr><td rowspan="2">Industrial applicability (IA)</td><td>Claims <u>1-4, 6-12</u></td><td>YES</td></tr><tr><td>Claims _____</td><td>NO</td></tr></table>	Novelty (N)	Claims <u>2, 3, 10-12</u>	YES	Claims <u>1, 4, 6-9</u>	NO	Inventive step (IS)	Claims _____	YES	Claims <u>1-4, 6-12</u>	NO	Industrial applicability (IA)	Claims <u>1-4, 6-12</u>	YES	Claims _____	NO
Novelty (N)	Claims <u>2, 3, 10-12</u>		YES													
	Claims <u>1, 4, 6-9</u>	NO														
Inventive step (IS)	Claims _____	YES														
	Claims <u>1-4, 6-12</u>	NO														
Industrial applicability (IA)	Claims <u>1-4, 6-12</u>	YES														
	Claims _____	NO														
2. Citations and explanations (Rule 70.7)	<p>Document 1: JP 2002-371136 A (Kuraray Co., Ltd.), 26 December 2002</p> <p>Document 2: JP 04-030120 A (Fujimori Kogyo Co., Ltd.), 03 February 1992</p> <p>Document 3: JP 2000-056694 A (Kureha Erasutoma Kabushiki Kaisha), 25 February 2000</p> <p>The inventions set forth in claims 1, 4 and 6 to 9 are disclosed in document 1 cited in the international search report; therefore, the inventions in question lack novelty. Document 1 discloses an elastomer composition that can be obtained by melt blending 100 parts by weight of a hydrogenated styrene elastomer and not more than 3000 parts by weight of a rubber softening agent, and presents an example wherein 600 parts by weight of a process oil has been added thereto (example 1). Therein, the aforementioned "hydrogenated styrene elastomer" that is disclosed in document 1 is a hydrogenate of a styrene-butadiene block copolymer (refer to document 1, paragraph [0019]), and thus is a thermoplastic elastomer component that corresponds to the "hydrogenated block polymer of a conjugated diene" which is used in the examples of the present application. Furthermore, document 1 indicates</p>															

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

that the aforementioned compositions exhibit superior transparency characteristics, resiliency characteristics, rubber elasticity characteristics, weather resistance characteristics, mechanical strength characteristics and workability characteristics, and further indicates that a 2 mm-thick sheet obtained by melting and molding pellets of the aforementioned composition will have a haze value of 20% or less. In addition, the composition of the elastomer in question is not significantly different from the compositions of the invented products that are set forth in the present application; therefore, it is thought that the total light transmittance of the sheet that is disclosed in document 1 will also be approximately the same as the value that is set forth in claim 1 of the present application.

Claims 2, 3 and 10 to 12 do not involve an inventive step in the light of document 1 and document 2 or 3 cited in the international search report. Document 1 discloses examples wherein the elastomer compositions are used in audio/video equipment or other such home electronics equipment and office automation equipment or other such business equipment, etc.; therefore, it would have been easy for a person skilled in the art to conceive of using a sheet configured from an elastomer composition which exhibits the transparency characteristics and the rubber elasticity characteristics that are disclosed in document 1 in order to configure a display-protecting sheet like those disclosed in documents 2 and 3.

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